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Security Council Committee established pursuant to resolution 1970 (2011) concerning the Libyan Arab Jamahiriya

Note verbale dated 12 July 2011 from the Permanent Mission of Latvia to the United Nations addressed to the Chair of the Committee

With reference to the note verbale dated 25 March 2011 on the submission of the report on the implementation of Security Council resolution 1970 (2011), and in accordance with paragraph 25 of that resolution, Latvia submits its report herewith (see annex).

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Annex to the note verbale dated 12 July 2011 from the Permanent Mission of Latvia to the United Nations addressed to the Chair of the Committee

Latvia and the other member States of the European Union have jointly implemented the restrictive measures against Libya imposed by Security Council resolutions 1970 (2011) and 1973 (2011) by taking the following common measures:[1]

- Council Decision 2011/137/CFSP of 28 February 2011 concerning restrictive measures in view of the situation in Libya[2] as amended by Council Decision 2011/178/CFSP of 23 March 2011[3] and Council Decision 2011/332/CFSP of 7 June 2011.[4] The Council Decision set out the European Union's commitment to implementation of all the measures contained in Security Council resolutions 1970 (2011) and 1973 (2011), and provides the basis for European Union specific accompanying measures within the scope of the resolutions, notably:
  - export ban on equipment which might be used for internal repression;
  - autonomous designations under the visa ban and the asset freeze, to be decided by the Council of the European Union, of persons and entities involved in serious human rights abuses in Libya, including by being involved in attacks, in violation of international law, on civilian population and facilities.
- Council Regulation (EU) No. 204/2011 of 2 March 2011 concerning restrictive measures in view of the situation in Libya[5] as amended by Council Regulation (EU) No. 296/2011 of 25 March 2011[6] and Council Regulation (EU) No. 572/2011 of 16 June 2011.[7] The Council has adopted a Council Regulation in order to implement the measures provided for in Council Decision 2011/137/CFSP which fall under the competence of the Union. Council Regulations are binding in their entirety and directly applicable in member States of the European Union, inter alia, in the Republic of Latvia.
- Council Decisions implementing Council Decision 2011/137/CFSP and Council Regulations implementing Council Regulation (EU) No. 204/2011. The Council adopted a number of implementing Decisions[8] and Regulations[9]

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[1] All common measures are published in the Official Journal of the European Union.
[2] Official Journal of the European Union L 58, 3.3.2011, p. 53.
[3] Official Journal of the European Union L 78, 24.3.2011, p. 24.
[4] Official Journal of the European Union L 149, 8.6.2011, p. 10.
[5] Official Journal of the European Union L 58, 3.3.2011, p. 1.
[6] Official Journal of the European Union L 80, 26.3.2011, p. 2.
[7] Official Journal of the European Union L 159, 17.6.2011, p. 2.
[8] Council Decision 2011/156/CFSP of 10 March 2011 — OJ L 64, 11.03.2011, p. 29; Council Decision 2011/175/CFSP of 21 March 2011 — OJ L 76, 22.03.2011, p. 95; Council Decision 2011/236/CFSP of 12 April 2011 — OJ L 100, 14.04.2011, p. 58; Council Decision 2011/300/CFSP of 23 May 2011 — OJ L 136, 24.05.2011, p. 85; Council Decision 2011/345/CFSP of 16 June 2011 — OJ L 159, 17.06.2011, p. 93.
[9] Council Regulation (EU) No. 233/2011 of 10 March 2011, OJ L 64, 11.03.2011, p. 13; Council Regulation (EU) No. 272/2011 of 21 March 2011, OJ L 76, 22.03.2011, p. 32; Council Regulation (EU) No. 288/2011 of 23 March 2011, OJ L 78, 24.03.2011, p. 13; Council Regulation (EU) No. 360/2011 of 12 April 2011, OJ L 100, 14.04.2011, p. 12; Council Regulation (EU) No. 502/2011 of 23 May 2011, OJ L 136, 24.05.2011, p. 24; Council Regulation (EU) No. 573/2011 of 16 June 2011, OJ L 159, 17.06.2011, p. 5.

in order to include additional persons and entities in the list of persons and entities subject to European Union autonomous restrictive measures.

- Council Regulation (EC) No. 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (and its subsequent amendments).[10] This Regulation requires nationals of Libya to be in possession of a visa when entering the European Union.

As regards restrictions on admission (visa ban), Latvia has the following national legislation, which together with Council Decision 2011/137/CFSP and Regulation (EC) No. 539/2001 provides the basis for refusal of admission and denial of requests for a visa:

- Immigration Law[11] of the Republic of Latvia, adopted on 31 October 2002, in particular, section VII.

In addition, the Republic of Latvia has the following national legislation requiring an export authorization for the sale, supply, transfer or export of arms and related materiel[12] to third countries and an authorization for the provision of brokering services and other services related to military activities, which together with Council Decision 2011/137/CFSP provides the basis for enforcement of the arms embargo against Libya and the ban on related brokering services:

- Law on the Circulation of Goods of Strategic Significance of the Republic of Latvia,[13] adopted on 21 June 2007, in particular, article 12, paragraph 9.
- Regulations of the Cabinet of Ministers of the Republic of Latvia No. 657, "Procedure of Issuance or Refusal of Issuance of Licenses for Goods of Strategic Significance and the Related Documents to Circulation of Goods of Strategic Significance",[14] adopted on 20 July 2010, in particular, sections 7 and 8.

Regulation (EU) No. 204/2011 requires member States to determine the penalties applicable to infringements of their provisions. The penalties determined by the Republic of Latvia are set out in the following legislation:

- Criminal Law[15] of the Republic of Latvia, adopted on 17 June 1998, in particular, section 84, criminalizes the violation of sanctions imposed by international organizations and determines the applicable penalties.

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[10] Official Journal of the European Union L 81, 21.3.2001, p. 1.

[11] Official Gazette of the Republic of Latvia *Latvijas Vēstnesis* No. 169, 20.11.2002.

[12] This legislation should apply to all goods included in the Common Military List of the European Union, Official Journal of the European Union C 86, 18.3.2011, p. 1.

[13] Official Gazette of the Republic of Latvia *Latvijas Vēstnesis* No. 107, 05.07.2007.

[14] Official Gazette of the Republic of Latvia *Latvijas Vēstnesis* No. 122, 04.08.2010.

[15] Official Gazette of the Republic of Latvia *Latvijas Vēstnesis* No. 199/200, 08.07.1998.